

HUBR 1099-PFF/JRC

19. (Twice Amended) An implant for the reconstruction of soft tissue, said implant comprising:

a plurality of structural elements lying on top of one another to provide a thickness to said implant;

said structural elements being formed of pliable sheet of a physiologically compatible plastic, said sheet having a thickness of 10 to 200  $\mu\text{m}$ ; and

said structural elements having a surface that is adapted to be wetted by a fluid such that, when said surfaces are wetted[,] a sliding movement [is lubricated] between said structural elements as the implant is flexed, wherein adjacent structural elements are slideable one against the other, the fluid acting as a lubricant.

REMARKS

Entry and reconsideration of this application, as amended, is respectfully requested.

It is respectfully submitted that no new issues are raised nor has any new matter been entered, since claim 19 refers to the this sliding movement. Support for the amendment is found at page 4 of the specification, second paragraph.

The present amendment is made to further distinguish the claimed subject matter from that of Shane, which was the primary reference cited in all of the Examiner's final rejections of all pending claims as allegedly obvious under 35 U.S.C. §103. This rejection is respectfully traversed.

The pending claims all refer to layers of material that are slidable against each other, i.e. adjacent layers of material are slidable one against the other, as disclosed, e.g., at page 4, first full paragraph of the specification. It is respectfully submitted that none of Shane, Wiese or Scarborough

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teach or suggest this feature or the presently claimed invention.

In view of the foregoing, it is respectfully submitted that all rejections have been overcome and that this application is now in condition for formal allowance. Early issuance of a Notice of Allowance is respectfully requested.

Should any questions arise, the Examiner is invited to telephone attorney for applicant at the telephone number provided below.

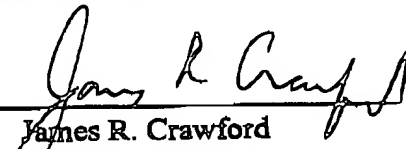
If any fees are due to enter this amendment, the examiner is authorized to charge Fulbright & Jaworski L.L.P. Deposit Account No. 500624.

The Examiner's attention is directed to the new firm name and correspondence address indicated below, and to change the Patent Office records accordingly.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By

  
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